

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEBRA A NOVAK, *et al.*,

Case No. 06-14862

Plaintiffs,

DISTRICT JUDGE
ARTHUR J. TARNOW

v.

JP MORGAN CHASE BANK, NA,

MAGISTRATE JUDGE
MONA K. MAJZOUN

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION [DE 24], GRANTING DEFENDANT'S MOTION
TO COMPEL ARBITRATION [DE 14], DENYING DEFENDANT'S MOTION TO
STRIKE [DE 19], AND DISMISSING THE CASE**

On January 4, 2008, Magistrate Judge Majzoub issued a Report and Recommendation in this case. The R&R recommended the Court GRANT Defendant's Motion to Compel Arbitration [DE 14], but DENY as moot Defendant's Motion to Strike Plaintiffs' response [DE 19]. The Court has reviewed the record in this case. No objections were filed.

The Report and Recommendation of the Magistrate Judge is hereby ADOPTED and is entered as the findings and conclusions of the Court. In addition, the Federal Arbitration Act mandates a stay of any claim referred to arbitration. 9 U.S.C. § 3. Further, when all claims are arbitrable, and nothing remains for the district court to do beyond enforcement, such litigation may be dismissed. *Hensel v. Cargill, Inc.*, 198 F.3d 245, 1999 WL 993775, *4 (6th Cir. 1999) (citing *Alford v. Dean Witter Reynolds Inc.*, 975 F.2d 1161, 1164 (5th Cir.1992); *Sparling v. Hoffman Const. Co., Inc.*, 864 F.2d 635, 638 (9th Cir.1988)).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation [DE 24] is ADOPTED as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Defendant's Motion to Compel Arbitration is GRANTED.

IT IS FURTHER ORDERED that Defendant's Motion to Strike is DENIED AS MOOT.

IT IS FURTHER ORDERED that this case be DISMISSED.

SO ORDERED.

S/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: March 31, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 31, 2008, by electronic and/or ordinary mail.

S/Catherine A. Pickles
Judicial Secretary